

**Nevada Department of Education
Nevada State Board of Education
November 12, 2025
9:00 AM**

Office	Address	City	Meeting Room
Department of Education	2080 E. Flamingo Rd.	Las Vegas	Room 114
Department of Education	700 E. Fifth St.	Carson City	Silver Ore Conference
Department of Education	Virtual	Virtual	YouTube Link

Summary Minutes of the Board Meeting

Board Members Present

Dr. Katherine Dockweiler, President
Tim Hughes, Vice President
Tamara Hudson, Board Clerk
Tricia Braxton
Amy Carvalho
Annette Dawson Owens
Tate Else
Danielle Ford
Evana Lan
Susan Neal
Angela Orr

Board Members Absent Excused

None

Department Staff Present

Dr. Victor Wakefield, Superintendent of Public Instruction
Christy McGill, Deputy Superintendent of Educator Effectiveness and Family Engagement
Lisa Ford, Interim Deputy Superintendent for the Student Achievement Division
Angie Castellanos, Administrative Assistant
Jeff Briske, Director
Julie Bowers, Director
Katie Fink, Education Programs Professional
Kathryn Hoyt, Assistant Director
Lara O'Mara, Education Programs Professional
Mandy Leytham, Education Programs Professional
Susan Ulrey, Education Programs Professional
Peter Zutz, Administrator
Zach Khan, Administrative Assistant

Legal Staff Present

Christina Georges Burns, Deputy Attorney General

Audience in Attendance

David Gardner, IEP Defender
Ed Gonzalez, SOT, Hickey Elementary School
Erin Phillips, Power 2 Parent
Nathaniel Waugh, Clark County School District

Craig Walker, Curriculum Associates

1. Call to Order, Roll Call, Pledge of Allegiance, and Land Acknowledgement

Meeting called to order at 9:03 A.M. by President Dockweiler. Quorum was established. President Dockweiler led the Pledge of Allegiance and provided a land acknowledgement.

2. Public Comment #1

- i. David Gardner, provided public comment regarding item 9.
- ii. Craig Walker, provided emailed public comment regarding item 8.
- iii. Erin Phillips, provided emailed public comments regarding item 18.

3. Approval of Flexible Agenda

Motion was made by Member Braxton and seconded by Member Hudson to approve the flexible agenda. The motion carried unanimously.

4. President's Report

President Dockweiler opened the floor for Board Member Updates.

Introduction of New Member

President Dockweiler introduced Member Amy Carvalho as the newest member representing the Nevada System of Higher Education. Member Carvalho introduced herself, noting that she has served as a Regent for seven years, including roles as Chair, Vice Chair, and Chair of several committees. She is a graduate of Nevada schools (Rancho High School, College of Southern Nevada, and UNLV) and previously served on the Academic Standards Council. She stated that she looks forward to strengthening the partnership between P-12 and higher education in Nevada.

Board Member Updates:

Member Braxton reported that the NRS 388G Subcommittee met on October 15th to review statutory changes to NRS 88 GA 500 through 810. The subcommittee heard from Interim Deputy Superintendent Lisa Ford and members of the community on these matters. She noted that the next steps are scheduled for December 11th. Member Braxton also mentioned that board members have been active with listening sessions, approved by the Deputy Attorney General, to engage in informal community feedback.

Vice President Hughes provided an update on the Commission on Innovation and Excellence in Education. He reported that a new subcommittee group, a metrics group, has been formed based on the requirements of SB 460 to start rethinking the school and district performance frameworks. This initial meeting was an overview of the process, and no decisions were made. Vice President Hughes recommended the recordings for anyone interested in the current operation and math behind Nevada's assessment system and school ratings, noting the importance of tight coordination with this group given the board's authority over some assessment pieces in the state.

5. Superintendent's Report

Superintendent Wakefield presented his report, outlining his motivations for accepting the role and his priorities for his first 100 days.

Superintendent Wakefield detailed his experience, which includes leading a large teacher preparation program, policy work on the State Board of Education, and national work at Teach for America focused on infrastructure and condition-setting policy. He was inspired to apply for the role by the current moment, citing a new funding formula, bipartisan education reforms across the state, new leadership in key roles (noting that half of superintendents are in their first three years), and greater flexibility for the state to drive

its education agenda.

Priorities for First 100 Days: Superintendent Wakefield outlined three core priorities:

1. **Set a Shared Direction:** He noted a need for greater coherence among current initiatives, emphasizing the clarification of statewide priorities to align efforts, promote effective practices, and celebrate success.
2. **Strengthen State Capacity:** He acknowledged the high bar set by legislative intent, particularly SB 460, and stated that the Department of Education must collectively "level up" to become a more agile, responsive, and service-driven agency.
3. **Lead Through Partnership:** He emphasized that change happens at the speed of trust and committed to building strong relationships through various engagements, including meetings with superintendents, key commissions, school site visits, and engaging with student voice. He specifically mentioned shadowing the student board member and visiting Member Orr's school.

The Superintendent also presented benchmarks laid out for the first 100 days and 10 months (sequencing work toward the next legislative session).

6. Informational Updates (*Information Only*)

The Board received an information-only update on the 2025 school designations under the Nevada School Performance Framework. The designations included schools identified for More Rigorous Interventions (MRI), Comprehensive Support and Improvement (CSI), Targeted Support and Improvement (TSI), and Additional Targeted Support and Improvement (ATSI). No questions or discussion were initiated by the Board members.

7. Consent Agenda (*For Possible Action*)

Information concerning the following consent agenda items has been provided to Board members for study prior to the meeting. Unless a Board member has a question concerning a particular item and asks that it be withdrawn from the consent list, all items are approved in one action.

- a. Possible Approval of Transportation Documents, 2026 School Year
- b. Possible Approval of Private School Licensing Renewals (*from cancelled September meeting*)
- c. Possible Approval of Private School Initial License Requests
- d. Possible Approval of the State Board of Education Meeting Calendar, 2026
- e. Possible Approval of State Board of Education Meeting Minutes, July 30, 2025
- f. Possible Approval of State Board of Education: "At-Risk" Subcommittee Meeting Minutes, August 12, 2025
- g. Possible Approval of State Board of Education Meeting Minutes, August 28, 2025
- h. Possible Approval of State Board of Education Meeting Minutes, August 29, 2025
- i. Possible Approval of State Board of Education Meeting Minutes, October 8, 2025
- j. Possible Approval of State Board of Education: "At-Risk" Subcommittee Meeting Minutes, October 14, 2025
- k. Possible Approval of State Board of Education: NRS 388G Subcommittee Meeting Minutes, October 15, 2025

The Consent Agenda included items (a–k) related to transportation documents, private school licensing renewals, State Board meeting calendars, and prior meeting minutes. President Dockweiler asked if any member wished to remove an item for separate discussion. No items were removed.

Vice President Hughes moved to approve the Consent Agenda as presented. Member Braxton seconded the motion. Motion carried unanimously.

8. Information, Discussion, and for Possible Action Regarding the Read by Grade 3 Legislation, Task Force Updates, and Designation of the Statewide Literacy Assessment (*Information, Discussion, and Possible Action*)

The Board received an update on the Department's ongoing work related to the Read by Grade 3 (RBG3) legislation and the efforts of the Read by Grade 3 Task Force. The presentation, delivered by Mandy Leytham, Katie Fink, and Lisa Calvert, Education Programs Professionals, included an overview of statewide literacy initiatives and the implementation status of the RBG3 statutory requirements.

The presenters reviewed the legislative requirements, current statewide literacy supports, and the work of the RBG3 Task Force in guiding implementation. They also updated the Board on the contract previously presented with Curriculum Associates for the i-Ready Assessment, which had been identified as a candidate for designation as the statewide literacy assessment in accordance with statute. The Board was informed that action may be taken during this portion of the item to approve the contract.

Superintendent Wakefield confirmed that the proposed action would enable the Department to meet statewide needs and support assessment funding structures. He clarified that the approval would allow the state to fund either assessment option permitted under current legislation.

Peter Zutz, Administrator for the Office of Assessment, Data Accountability, and Management, added further clarification. He explained that the item brought before the Board concerned the selection of the state's Read by Grade 3 base assessment. He noted that the MAP Growth assessment had served as the statewide RBG3 assessment in the current year, while legislation allowed districts to formally request an alternative assessment—i-Ready—for the 2024–25 school year. He clarified that for the 2025–26 school year, the reverse would apply, and that the action before the Board was to establish i-Ready as the statewide literacy assessment moving forward. He emphasized that the decision did not change the fiscal considerations previously identified and that the Department had evaluated cost scenarios for both assessments.

Member Else inquired about the required process for districts to request the use of an alternative assessment. Mr. Zutz responded that the Department had streamlined the process so that a district superintendent would submit a formal request on district letterhead to the State Superintendent of Public Instruction.

Motion was made by Member Hudson to approve i-Ready for the state assessment for the Read by Grade 3 process. The motion was seconded by Member Dawson Owens. The motion carried unanimously.

9. Information, Discussion, and Possible Action Regarding the Review and Reconsideration of the Exit Age Criteria for Students Receiving Special Education Services Under the Developmental Delay (DD) Category (*Information, Discussion, and Possible Action*)

The Board reviewed information and recommendations from the field regarding the exit age criteria for students receiving special education services under the Developmental Delay (DD) eligibility category. Julie Bowers, Director of the Office of Comprehensive Student Supports, provided the presentation. She reminded the Board that this item had been discussed repeatedly over the past one to two years and that the Board had previously received extensive background information.

The discussion centered on the proposal to revise the DD exit age to seven years old and the need for additional data to support a final decision. Board members engaged in a detailed conversation about the types of information that would be most helpful, including comparisons to other states. Members identified several key data points they felt were necessary to fully understand the implications of a potential exit age change, such as:

- Whether other states employed strong Multi-Tiered Systems of Support (MTSS) structures

- Compulsory age of school attendance in comparable states
- Scope and quality of pre-kindergarten programming
- Robustness of child find efforts
- Magnitude of the issue across districts, including whether sampling approaches would be sufficient for analysis

Board members agreed that these components would meaningfully inform the decision. Member Hughes stated he was comfortable with a sampling approach if large districts believed that a subset of their schools would accurately represent districtwide needs.

Member Ford shared closing remarks before the motion was addressed. She explained that while her initial instinct was to support immediately extending the exit age to seven, she recognized that the effort required to implement such a change would be substantial regardless of whether the Board ultimately chose age seven, eight, or nine. She expressed concern that moving incrementally might limit future opportunities to consider broader revisions. However, she noted that Superintendent Wakefield's comments about gathering targeted data were persuasive and that she believed the Board had an opportunity to make a more informed and strategic decision with additional analysis. Member Ford also stated that the holidays and school scheduling made March a reasonable timeline for revisiting the item.

The President restated the motion on the table, as previously made by Member Hudson.

Member Hudson moved to table the decision regarding the Developmental Delay exit age criteria until the March meeting to allow time for the Department to gather the targeted data requested by the Board, including sampling where appropriate. The motion was seconded by Member Ford.

Five members voted in favor, with President Dockweiler recusing. No members voted in opposition. The motion passed, and the Board agreed to revisit the item in March.

10. 10:00 a.m. Public Hearing to Solicit Comments Regarding the Possible Action of Proposed Regulation LCB File No. R110-24 Regarding NAC Chapter 388 – Criteria for Assessment of Language and Literacy Skills in Children Under Age 6 Who Are Deaf, Hard of Hearing, Blind, or Visually Impaired (Information, Discussion, and Possible Action)

Public Hearing Opened: 11:38 a.m.

The Board conducted a public hearing to solicit comments regarding the proposed revisions to Nevada Administrative Code (NAC) Chapter 388 concerning the criteria for assessments used to evaluate language and literacy development in children under six years old who are deaf, hard of hearing, blind, or visually impaired. The regulation also defined the required qualifications of individuals administering or interpreting such assessments. Julie Bowers, Director, Office of Comprehensive Student Services, opened the hearing at 11:38 a.m.

Public Comment

- **Carson City:** No public comment was offered.
- **Las Vegas:** No public comment was offered.
- **Online Submission:** Public comment was received via email from Anna Binder, community member. See appendix for full comment read into the record

Board Discussion:

Board members engaged in discussion regarding assessment administrator qualifications and the need for fluency or communication accommodations relevant to each child's mode of communication. Director Julie

Bowers clarified that efforts were made to ensure evaluators had the skills necessary to communicate with students, whether through sign language, other languages, or Braille. She explained that because assessment options were limited, the evaluator's criteria and skill set were major considerations in the development of guidance.

Member Dawson Owens expressed concern about whether the language ensured that evaluators would be fluent in the student's mode of communication or whether this requirement was implied. She asked whether it should be explicitly added.

Director Julie Bowers responded that accommodations, including interpreters or Braille readers, could be provided to ensure students receive necessary supports during assessment.

Member Orr asked whether assessment accommodations outlined in an IEP would cover these needs. Bowers clarified that while IEP accommodations would apply, some children in this age group might not yet have an IEP, and accommodations would still be ensured during the assessment process. Board members confirmed they had no further questions.

Member Braxton moved to adopt the proposed revisions to NAC Chapter 388 as presented in LCB File No. R110-24. Member Else seconded the motion. The motion passed unanimously.

Public hearing closed at 11:57 a.m.

11. 10:01 a.m. Public Hearing to Solicit Comments Regarding the Possible Action of Proposed Regulation LCB File No. R111-24 Regarding NAC Chapter 388 – Criteria for Eligibility for Special Education and Related Services for Pupils with Visual Impairments *(Information, Discussion, and Possible Action)*

Public Hearing Opened at 11:57 a.m.

A public hearing was held to solicit comments regarding the proposed regulation LCB File No. R111-24, which would revise Nevada Administrative Code (NAC) Chapter 388 related to eligibility for special education and related services for pupils with visual impairments. The purpose of the regulation is to update Nevada's definition of "visual impairment" to align with federal guidance clarifying that any impairment in vision, regardless of severity, must be considered if it adversely affects a student's educational performance. The proposal would allow pupils who do not meet the existing criteria for moderate or severe visual impairment to qualify for services if their impairment creates a demonstrated need.

Julie Bowers, Director, Office of Comprehensive Student Services, presented the item. Director Bowers summarized the background of the proposed regulation, including the 2017 guidance letter issued by the U.S. Office of Special Education Programs (OSEP), which clarified that IDEA requires states to consider any visual impairment that impacts educational performance. She noted that the regulation would expand Nevada's current definition to align with federal expectations and that corresponding updates would be needed to eligibility forms and guidance documents. She also explained that the proposed language had been developed in collaboration with the Special Education Advisory Committee, district directors, and the Nevada Vision Services team.

Public Comment

- **Carson City:** No public comment was offered.
- **Las Vegas:** No public comment was offered.
- **Online Submission:** Public comment was received via email from Anna Binder, community member. See appendix for full comment read into the record.

Member Hughes moved to adopt the proposed revision to NAC Chapter 388 as presented in LCB File No. R111-24. Member Hudson seconded the motion. The motion passed unanimously, with no opposition or abstentions.

Public Hearing closed at 12:03 p.m.

12. 10:03 a.m. Public Hearing to Solicit Comments Regarding the Possible Action of Proposed Regulation LCB File No. R023-25 Regarding NAC Chapter 388 – Revising Eligibility Standards and Service Requirements for Gifted and Talented Pupils (*Information, Discussion, and Possible Action*)

Public Hearing Opened at 12:03 p.m.

A public hearing was held to solicit comments regarding proposed regulation LCB File No. R023-25, which would revise Nevada Administrative Code (NAC) Chapter 388 as it pertains to eligibility standards and service requirements for gifted and talented pupils. The purpose of the proposed regulation is to update outdated assessment requirements and provide districts with greater flexibility in identifying and serving gifted and talented students. Key revisions include removing the requirement that certain cognitive and achievement assessments be individually administered and changing the minimum differentiated instruction requirement from 150 minutes per week to 600 minutes per month.

Julie Bowers, Director, Office of Comprehensive Student Services, opened the hearing and introduced Laura O'Mara, Education Programs Professional, to present the item.

Ms. O'Mara explained that the current requirement for individually administered cognitive and achievement assessments created significant hardship for districts lacking adequate personnel and limited districts' ability to use universal screening practices that help reduce bias in referrals. She stated that assessment protocols had evolved substantially since the regulations were originally written, with many assessments now offering valid group-administration formats. The proposal would update regulations to reflect modern assessment practices, remove redundancies, and use clearer language.

Ms. O'Mara noted that the proposed regulation was developed collaboratively with the Nevada Gifted Education District Administrators (GITA) team, whose members oversee gifted and talented programs statewide. She added that the public workshop held on August 13, 2025, yielded no public comment.

Public Comment

- **Carson City:** No public comment.
- **Las Vegas:** No public comment.
- **Electronic Submission:** None received.

Board members engaged in discussion regarding historic assessment practices, guardrails to ensure fairness in group-administered tests, and the intent of the changes.

Member Ford asked how long assessments had been administered individually and expressed concern about maintaining consistent and equitable identification practices. Ms. O'Mara provided historical context, noting that individual administration requirements originated in regulations from the 1990s and that certain group-administered assessments (including SAT and ACT) had long been permitted. She added that a state-provided eligibility rubric from 2017 supported some group administration, though it had not been codified in regulation.

President Dockweiler clarified that many assessments had already transitioned to valid group-administration formats due to technological advancements and evolving testing protocols. Ms. O'Mara confirmed this and

emphasized that the proposed changes were intended to increase, not reduce, the number of students identified for gifted services.

Member Orr noted that assessment protocols themselves provide strong safeguards ensuring validity and fairness, regardless of administration format.

Member Dawson Owens inquired about the shift from 150 minutes per week to 600 minutes per month of differentiated instruction. Ms. O'Mara explained that the total instructional time remained the same, but the change offered districts more scheduling flexibility, allowing services to be delivered in multiple configurations to meet student and district needs.

Member Ford moved to approve the proposed revisions to NAC Chapter 388 as presented in LCB File No. R023-25. Member Hudson seconded the motion. The motion passed unanimously, with no opposition or abstentions.

Public Hearing closed at 12:13 p.m.

13. 10:04 a.m. Public Hearing to Solicit Comments Regarding the Possible Action of Proposed Regulation LCB File No. R094-24 Regarding NAC Chapter 389 – Replacing AdvancED with Cognia for Educational Accreditation References *(Information, Discussion, and Possible Action)*

Public Hearing Opened at 10:04 a.m.

A public hearing was held to solicit comments on proposed regulation LCB File No. R094-24, which would repeal outdated language in Nevada Administrative Code (NAC) Chapter 389 and update references from AdvancED to Cognia as the authorized accreditation organization for secondary schools and for private elementary and secondary institutions. The regulation reflects the 2018 merger of AdvancED and Measured Progress, which resulted in the formation of Cognia. The proposed update is intended as a technical cleanup to ensure that NAC uses accurate and current terminology.

Lisa Ford, Interim Deputy Superintendent of the Student Achievement Division, presented the item. Ms. Ford explained that AdvancED was no longer an operating company and had been fully subsumed into Cognia following the merger. She emphasized that the proposed regulation was strictly a conforming language change and did not alter accreditation processes, requirements, or standards.

Public Comment

- **Carson City:** No public comment.
- **Las Vegas:** No public comment.
- **Electronic Submission:** None received.

The Board had no questions for the presenter. Members acknowledged that the proposed changes were technical in nature and intended solely to ensure the NAC accurately reflected current organizational structures.

Member Else moved to approve the proposed revisions to NAC Chapter 389 as presented in LCB File No. R094-24. Member Hudson seconded the motion. The motion passed unanimously, with no opposition or abstentions.

Public Hearing closed at 12:15 p.m.

14. 10:05 a.m. Public Hearing to Solicit Comments Regarding the Possible Action of Proposed Regulation

LCB File No. R196-24 Regarding NAC Chapter 388 – Repealing Provisions Approving Certain Assessments for Reading Proficiency (*Information, Discussion, and Possible Action*)

Public Hearing Opened at 10:05 a.m.

A public hearing was held to solicit comments on proposed regulation LCB File No. R196-24, which would revise Nevada Administrative Code (NAC) Chapter 388 by repealing provisions identifying the specific assessments approved by the State Board for determining a pupil's proficiency in reading. This action aligns Board regulations with changes enacted through Senate Bill (SB) 460 (2025), which removed the requirement for the State Board to approve reading assessments. Under the updated statutory structure, school districts and charter schools may use any valid and reliable standards-based assessment without seeking separate Board approval.

Lisa Ford, Interim Deputy Superintendent of the Student Achievement Division, presented the item. Ms. Ford explained that the regulation served as a conforming language change to remove outdated references to former Board-approved reading assessments, specifically Brigance and MAP. She stated that this update aligned NAC with the statutory revisions in SB 460, which shifted assessment selection authority to local governing bodies.

Public Comment

- **Carson City:** One public commenter expressed concern that removing Board-approved assessments could create inconsistency and potential confusion in literacy improvement planning. The speaker noted that while districts would logically continue using assessments tied to state measures, the language appeared to allow districts to select entirely different assessments so long as validity and reliability could be demonstrated, raising questions about alignment across statewide literacy initiatives.
- **Las Vegas:** No public comment.
- **Electronic Submission:** None received.

Board members engaged in a detailed discussion regarding the implications of removing Board-approved assessments from regulation.

Board members asked whether districts could select assessments that differed from those used for statewide metrics and whether this could result in students being assessed multiple times. Ms. Ford explained that eliminating Board-approved assessments prevented duplicative testing, as districts would no longer be required to administer two assessments if their existing assessment differed from those previously approved by the Board. She added that districts retained the option to adopt a different assessment for instructional purposes if they chose, although doing so would be impractical given the cut scores already set by the Board for Read by Grade 3.

Ms. Ford clarified that while districts could technically select a different valid and reliable assessment, the Board's established MAP and i-Ready cut scores continued to provide statewide guardrails for determining reading proficiency. No further questions were raised.

Member Else moved to adopt the proposed revisions to NAC Chapter 388 as presented in LCB File No. R196-24. Member Hudson seconded the motion. The motion passed.

Vote

- **Yeas:** President Dockweiler, Member Orr, Member Dawson Owens, Member Hudson
- **Nays:** Vice President Hughes, Member Ford
- **Abstentions:** Member Braxton

Public Hearing closed at 12:21 p.m.

15. 10:06 a.m. Public Hearing to Solicit Comments Regarding the Possible Action of Proposed Regulation LCB File No. R137-23 Regarding NAC 391A.300 – Standards for Professional Development Training for Teachers and Administrators *(Information, Discussion, and Possible Action)*

Public Hearing Opened at 10:06 a.m.

A public hearing was held to solicit comments on proposed regulation LCB File No. R137-23, which would amend Nevada Administrative Code (NAC) 391A.300 regarding standards for professional development training provided to teachers and administrators employed by school districts and charter schools. The regulation is proposed pursuant to NRS 391A.370 and is intended to update Nevada's professional learning standards to align with the most current national Learning Forward standards.

Jeff Briske, Director of the Office of Educator Development, Licensure, and Family Engagement (EDLiFE), presented the item. Director Briske explained that this regulation serves as the final component in a series of related updates, including Regulation R088-23 (effective September 2024), which updated licensure renewal requirements under NAC 391.065, and existing provisions under NAC 391.080 governing the approval of continuing education providers. He stated that the Department recommended adoption of the amended regulation.

Public Comment

- **Carson City:** No public comment.
- **Las Vegas:** No public comment.
- **Electronic Submission:** None received.

Vice President Hughes expressed appreciation for aligning Nevada's standards with national recommendations and asked about enforcement. He noted that, although the standards are strong, professional learning experiences in practice do not always reflect these expectations. He asked what recourse educators have if required professional development does not meet the established standards.

Director Briske responded that while the Department does not have the capacity to monitor every professional development activity statewide, continuing education providers undergo a rigorous approval process outlined in NAC 391.080 and must attest to compliance with the standards. He confirmed that educators may raise concerns directly to him or to the Department's continuing education oversight staff, who can then follow up with the provider to ensure compliance.

Member Orr reiterated the importance of professional learning as a key component of systemic improvement and expressed concern that the State Board currently receives limited information regarding the impact and outcomes of professional learning statewide. She encouraged further consideration of how implementation and effectiveness might be monitored over time. No additional questions were raised.

Vice President Hughes moved to adopt the proposed revisions to NAC 391A.300 as presented in LCB File No. R137-23. Member Dawson Owens seconded the motion. The motion passed unanimously, with no opposition or abstentions.

Public Hearing closed at 12:30 p.m.

16. 10:07 a.m. Public Hearing to Solicit Comments Regarding the Possible Action of Proposed Regulation LCB File No. R050-24 Regarding NAC Chapter 389 – Plan and Requirements for Placement of Pupils in More Rigorous Courses *(Information, Discussion, and Possible Action)*

Public Hearing Opened at 10:07 a.m.

A public hearing was held to solicit comments on proposed regulation LCB File No. R050-24, which would amend Nevada Administrative Code (NAC) Chapter 389. The regulation establishes the framework and requirements for planning and placing students in more rigorous courses in core academic subjects (mathematics, English language arts, science, and social studies) for pupils in grades 3 through 12. It also requires school districts to submit an annual report identifying subjects where more rigorous courses could not be established due to insufficient financial resources.

Lisa Ford, Interim Deputy Superintendent of the Student Achievement Division, presented the item. Ms. Ford explained that the regulation aligns with statutory requirements and provides a pathway for districts to report obstacles, including financial or staffing constraints, that prevent offering advanced coursework. She emphasized that the regulation aims to ensure equitable access to rigorous courses while providing necessary oversight through annual reporting to the State Superintendent of Public Instruction.

Member Orr inquired about the Department's ability to respond if districts submit reports with justifications that may not be reasonable. Interim Deputy Superintendent Ford explained that the report has a twofold purpose: to document parental objections or student recommendations for advanced coursework, and to identify staffing or budgetary constraints that limit program implementation. The Superintendent may follow up with districts as needed.

Member Orr also asked whether districts could justify not offering advanced coursework based on educational philosophy rather than financial resources. Interim Deputy Superintendent Ford clarified that the statutory language specifically limits justifications to financial constraints, so the regulation aligns with that statutory scope. No additional questions or points of discussion were raised.

Public Comment

- **Carson City:** None
- **Las Vegas:** None
- **Electronic Submission:** None

Member Dawson Owens moved to approve the proposed revisions to NAC 389 as presented. Motion was seconded by President Dockweiler. The motion passed unanimously.

Hearing closed at 12:39 p.m.

17. Information and Discussion regarding the Nevada Educator Performance Framework (NEPF) 2023-2024 Summative Evaluation and Monitoring for Continuous Improvement Data Review (*Information and Discussion*)

An informational presentation was provided regarding the Nevada Educator Performance Framework (NEPF) 2023-2024 summative evaluation and Monitoring for Continuous Improvement (MCI) data. The presentation also included an update on the ongoing NEPF Redesign Field Study.

Assistant Director Kathy Hoyt provided an overview of statewide NEPF ratings and key findings from MCI data. She outlined changes in the calculation of the student learning domain, which has shifted from a high of 40–50% to currently 15%, reflecting adjustments over the years in response to state assessments and the move toward educator growth goals under SB 460. These growth goals will incorporate state assessment requirements for certain categories of teachers and continue to evolve based on statutory guidance.

Member Tate Else inquired about the professional development (PD) requirements stemming from SB 460

for administrators, including the timeline and expected duration of training.

Assistant Director Hoyt explained that NEPF-specific PD requirements will be tailored to individuals on performance improvement plans, focusing on instructional practice and professional responsibilities. Broader SB 460 administrator PD requirements will largely be met through the Administrator Certification Review program, with multiple delivery formats (in-person, hybrid, virtual) to accommodate district capacities. The goal is to ensure meaningful implementation that supports all districts while preventing unnecessary duplication of work.

Member Else expressed concern about the potential for new and existing requirements to create burdensome work that may not meaningfully impact classroom instruction. Presenters acknowledged these concerns and emphasized ongoing efforts to make the process relevant and practical for all educators.

The Board thanked the presenters for the detailed update and for their work in ensuring NEPF processes remain meaningful and effective for districts and educators across the state.

18. Information and Discussion Regarding the Statutes and Regulations Governing Educator Licensure, Including the State Board of Education's Roll in Suspension or Revocation of a License. (*Information and Discussion*)

The Board received an informational presentation outlining the statutes and regulations that establish the State Board of Education's authority and responsibilities related to educator licensure. Greg Ott, Chief Deputy Attorney General, and Jeff Briske, Director of the Office of Educator Development, Licensure, and Family Engagement, presented the item. The presentation focused on the Board's statutory role in reviewing, sanctioning, suspending, and revoking educator licenses, as well as the authority granted to various parties to submit recommendations for disciplinary action.

Director Briske opened the presentation by referencing NRS 391.322, explaining that the statute clearly identifies the entities authorized to submit information to the State Board concerning possible educator misconduct. He stated that the Superintendent of Public Instruction (or designee), a school district board of trustees, or a charter school governing board may bring matters forward. He further explained that once information is submitted, it became the State Board's responsibility to review it and determine whether to recommend suspension, revocation, or no action. He also noted that educators retained due process rights and could request a hearing officer through the Department of Administration. If no hearing was requested, the Board could act directly on the matter.

Chief Deputy Attorney General Ott expanded on the statutory structure and described the State Board's role as similar to a "judge and jury" at the end of the disciplinary process. He stated that the process does not begin with the Board; rather, it starts with one of the three authorized entities filing a complaint. Once a complaint is submitted, the educator is formally notified and provided with the allegations and an opportunity to respond. If the educator requests a hearing, both sides present evidence to a hearing officer before the matter returns to the State Board, often as a consent agenda item reflecting negotiated outcomes. Ott emphasized that most procedural steps occurred before the case reached the Board, which was why members rarely saw the earlier due process components. He noted that procedural details were established under NRS 391 and NAC 391.

Following the presentation, the Board Chair asked for questions or comments. Board members stated that the information was clear and comprehensive, and no questions were raised.

19. Public Comment #2

- i. David Gardner, Community Member

- ii. Anna Binder, Community Member

20. Future Agenda Items (*Information and Discussion*)

The board was invited to suggest topics for future agendas.

- Member Else requested that once Superintendent Wakefield starts, the board hold another workshop/training day to discuss roles, responsibilities, and goals.
- Member Dawson Owens requested more information (formally or informally) about the district and state responsibilities regarding social media policy and legal ramifications for the board and educators.
- President Dockweiler requested that the board revisit the exit age for developmental delay for students receiving special education supports, including a follow-up presentation of additional data.

21. Adjournment

Meeting was adjourned at 1:44 P.M.

Appendix A: Statements given during public comments

1. David Gardner, Community Member, provided public comment regarding item 9 during public comment period #1.
2. Craig Walker, Nevada Curriculum Associates Team, provided public comment regard item 8 during public comment period #1.
3. Erin Phillips, CEO, Power to Parent, provided public comment during public comment #2.
4. Anna Binder, Community Member, provided public comment during public hearings and public comment period #2.
5. David Gardner, Community Member, provided public comment regarding item 9 during public comment period #2.

Appendix A, Item 1: DAVID GARDNER

Morning my name is David Gardner. I just had a quick comment regarding agenda number 9. I love the fact that this is being moved as you guys know under NRS 392 O 4 O. Children don't even have to go to school till 6 and so if we're not giving them the options to delay until unless they're younger than 6 most students will never even have this option. I would highlight that under federal law 34. 4 CFR 300.8 B this can be allowed to go up to the age of 9. A lot of states have done that. I would highly recommend doing that. I think that if you're just starting it at age 6 under kindergarten law. You could be turning 7 very shortly afterwards and then you would lose access to this ability to help with you. Help the students. So, I would highly recommend that we move it to 9 not 7. That gives teachers sometimes to really work with these kids and help with the development delay. And either figure out what it is and help move along or if we can't figure out what it is oftentimes development delay actually turns into specific learning disorder or something else like that and it gives the IT gives the teachers and the schools time to. Find that out. So that was it I just. I love that you guys are doing it and I would move it to 9 if possible.

Appendix A, Item 2: CRAIG WALKER

Good morning members of the Board,

On behalf of Curriculum Associates, we would like to express our strong support for the Read by Grade 3 initiative and affirm our commitment to serving the students and educators of Nevada. We are honored to be considered as a partner in this important work and are fully prepared to support the state with high-quality resources, professional learning, and responsive service.

While we are not presenting today, members of our team are in attendance and available to answer any questions or provide clarification regarding our solutions. We are here because we believe deeply in the mission of improving literacy outcomes for all Nevada students and stand ready to assist in any way we can.

Thank you for your time and for your dedication to Nevada's children.

Respectfully,

Nevada's Curriculum Associates Team

Appendix A, Item 3: ERIN PHILLIPS

Dear President Dockweiler and Members of the State Board of Education,

I wanted to take a moment to thank you for including Item 18 on today's agenda, addressing the statutes and regulations governing educator licensure and the Board's role in reviewing possible suspensions or revocations.

At the last meeting, I asked that the Board take up this issue, and I sincerely appreciate your willingness to review it. Clarifying the Board's oversight authority and the process for addressing potential license revocations is an important step in ensuring both accountability and public confidence in Nevada's education system.

Thank you again for your responsiveness and commitment to upholding the standards of our state's educators. I look forward to following the discussion and any next steps that may come from it.

With appreciation,
Erin Phillips
President & CEO, Power2Parent Union

Appendix A, Item 4: ANNA BINDER

My name is Anna Marie Binder, Chair of the Nevada Governor’s Council on Developmental Disabilities (NGCDD) and a member of the Commission on Autism Spectrum Disorder (CASD). I am submitting this written comment on Agenda Items 9, 10, and 11 at today’s meeting. With respect to the CASD, I am writing individually, as there has been no opportunity to bring this to the full Commission for purposes of today’s meeting.

Agenda Item 9 – Developmental Delay Exit Age Criteria

The Department’s own presentation acknowledges that Nevada lacks a longitudinal, standardized data system capable of tracking students who enter, exit, or re-enter special education under the Developmental Delay (DD) category. Districts openly admitted they cannot produce valid data regarding exits, transitions, or reclassifications of six-year-olds — yet nearly all recommended extending DD eligibility to age 7. Proceeding with a rule change in the absence of longitudinal evidence poses compliance and fiscal-impact risks under IDEA § 300.111 and § 300.600, which require states to monitor child-find and early-intervention outcomes.

It also perpetuates Nevada’s well-documented data-governance gap for early-childhood transitions, identified by the Department itself in Recommendation 1 (“Fix Data Management”).

Extending the age limit without a simultaneous mandate for improved data collection, uniform exit documentation, and cross-district coordination would make it impossible to evaluate the true impact of this policy. The NGCDD and CASD both need to review this change through a statewide early-childhood continuum lens before any adoption.

Agenda Item 10 – LCB File R110-24 (Language & Literacy Assessments for Children Under Six Who Are Deaf, Hard of Hearing, Blind, or Visually Impaired)

While the intent to standardize evaluation practices is commendable, several issues warrant additional review:

- The proposed regulation omits explicit requirements ensuring evaluators are credentialed or fluent in the child’s primary mode of communication (e.g., ASL, tactile or Braille literacy, bilingual access).
- It does not specify coordination with the Nevada Commission for Persons Who Are Deaf or Hard of Hearing — or any parallel consultative body — even though that commission’s statutory purpose is to advise on communication access and service equity.
- The phrase “trained in the specific assessment” is overly broad and could unintentionally restrict rural access or permit assessments by unqualified personnel.

To ensure alignment with 34 CFR § 300.304–305, the regulation should clarify evaluator competencies, family-language access, and cross-agency implementation guidance before adoption.

Agenda Item 11 – LCB File R111-24 (Eligibility for Pupils with Visual Impairments)

Broadening the definition of “visual impairment” could improve equity by including children whose vision loss does not meet traditional thresholds.

However, without standardized functional-vision criteria or statewide guidance, it risks inconsistent eligibility determinations between districts. It also carries potential fiscal implications by increasing the eligible population without data on prevalence or service capacity.

A uniform functional-vision evaluation framework and coordinated rollout plan should accompany this regulation to ensure consistent, equitable implementation.

System-Wide Concerns and Coordination Needs

Collectively, Items 9–11 amend Nevada Administrative Code 388 in ways that directly affect IDEA eligibility, early-childhood assessment, and inter-agency service coordination.

Each carries implications for data systems, evaluator qualifications, and collaboration with the NGCDD, CASD, Behavioral Health Policy Advisory Council (BHPAC), and the Nevada Commission for Persons Who Are Deaf or Hard of Hearing (which, in practice, also represents the broader sensory-disability community often referenced as the Commission on Deaf, Hard of Hearing, Blind, and Visually Impaired).

The Governor’s Council has not had adequate time to review these items formally, and the other statutory bodies were only recently notified. Acting today would preclude informed public-body input and conflict with the intent of NRS 233B to ensure meaningful participation from affected stakeholders.

Request

I respectfully request that the Board defer final action on Agenda Items 9, 10, and 11 until:

1. The NGCDD, CASD, and Nevada Commission for Persons Who Are Deaf or Hard of Hearing each have an opportunity to review and submit recommendations; and
2. The Department develops a plan to resolve the identified data-management and evaluator-qualification gaps prior to implementation.

These steps will help ensure Nevada’s regulations remain evidence-based, equitable, and fully consistent with IDEA and state statutory intent.

Thank you for your time, consideration, and continued commitment to transparency and inclusive policymaking for Nevada’s students with disabilities.

Also, the above issues are just a cursory review and may not represent other items that may be linked to this work.

Appendix A, Item 5: DAVID GARDNER

Hello again, David Gardner.

I am the father of six special needs children, and I’m an attorney who represents special needs kids. I actually just wanted to bring a couple of ideas for changes to regulations before this body.

NAC 388.387.131 is where you set the minutes. If you look at it, kindergarten is still at 120, even though most kindergartens are now full-time. That probably should be adjusted to 240.

One of the questions I had is under the current bullying law. Schools are required to conduct bullying investigations and involve parents. There’s an appeal process, but as far as I know, there is no process if the school fails to conduct an investigation at all. There’s no way to enforce it. I’ve had to deal with this specifically with my daughter. I made several requests for a bullying investigation, cited the statutes, and pointed out the violations, but the school never responded. Having a process to address that would be a good idea.

One separate idea, in my representation of special needs kids—thankfully not very often—is that we sometimes find what I think is pretty clear evidence of retaliation. The problem is there are really only a couple of ways to address it. Retaliation can be handled through either the Office of Civil Rights with the U.S. Department of Education, but that usually takes a couple of years, or through a lawsuit. I always tell my clients that if they have \$150,000 to spend, it would be better spent on their child than on a lawsuit, because retaliation is almost never effectively handled due to time and cost constraints.

So, one idea would be to add retaliation to the state complaint process, which is found in NRS/NAC 3D8.

Another challenge I encounter is the distinction between a student’s educational record and what schools are required to maintain under the IDEA. Some schools interpret this to mean they need logs and documentation showing compliance in real time, while others interpret it as having almost no record requirement. I think maintaining proper logs is the better approach and would recommend adding that requirement for IEP meetings. Currently, schools do not keep formal minutes for IEP meetings. Many states do, and some allow parents to record meetings to reduce disputes over what occurred. Having minutes or recordings would be helpful.

One of the bigger recommendations, which may be outside your purview, is the use of cameras in special

education classrooms—especially self-contained classrooms with nonverbal students. I frequently get calls from parents reporting that their children have been injured or returned home with unexplained bruises. These children cannot communicate what happened. Many schools have cameras in other areas, but not in these classrooms. Installing cameras there would provide additional safety and accountability.